

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of)

Allocation and Designation of Spectrum)
for Fixed-Satellite Services)

in the 37.5-38.5 GHz, 40.5-41.5 GHz,)

And 48.2-50.2 GHz Frequency Bands;)

Allocation of Spectrum to Upgrade Fixed)

and Mobile Allocations in the 40.5-42.5 GHz)

Frequency Band, Allocation of Spectrum)

in the 46.9-47.0 GHz Frequency Band for)

Wireless Services; and Allocation of)

Spectrum in the 37.0-38.0 GHz and)

40.0-40.5 GHz for Government Operations.)

IB Docket No. 97-95

RM-8811

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

TO: The Commission

COMMENTS OF THE SATELLITE INDUSTRY ASSOCIATION

The Satellite Industry Association ("SIA") hereby respectfully submits its comments in response to the Notice of Proposed Rulemaking ("NPRM") in the above-captioned proceeding: (released March 24, 1997).

The SIA is a national trade association representing the leading U.S. satellite manufacturers, service providers and launch service companies. The SIA was established to serve as an advocate for the U.S. commercial satellite industry on regulatory and policy issues common to its members. With 20 current executive member companies providing a broad range of the manufactured products and services, SIA represents the unified voice of the U.S. commercial satellite industry.¹

¹ The SIA is an operating entity of the Satellite Broadcasting and Communications Association ("SCBA") and represents the United States commercial satellite industry. SIA's executive members are: American Mobile Satellite Corp., AT&T Voicespan, Boeing Commercial Space Company, COMSAT Inc., CTA Inc., GE American Communications Inc., Globalstar LP, Hughes Communications Inc., ICG Satellite Services Inc., Iridium LLC, Lockheed Martin Corp., Loral Skynet, Motorola SSTG, Orbital Sciences Corp., Orion Network Services Inc., PanAmSat Corp., Space Systems/Loral, Teledesic Corp., TRW/Odyssey Services Organization, and Vyvx Inc.

In the NPRM, the Commission proposes to segment the 36.0-51.4 GHz band, with separate allocations for the fixed satellite service ("FSS") and wireless (terrestrial) services. The NPRM proposes an inequitable division of spectrum between the terrestrial and satellite services.

SIA is extremely concerned that the changes proposed by the Commission would reduce the overall amount and viability of spectrum available for use by satellite services in the 36.0-51.4 GHz band. Now that the Commission is issuing licenses for Ka-band satellite operation, the 36.0-51.4 GHz band is the significant remaining spectrum resource for the development of future satellite services. Both qualitatively and quantitatively, the spectrum proposed by the Commission is insufficient to accommodate anticipated satellite requirements.

The changes proposed by the Commission would severely impair the future operations of the U.S. satellite industry, which has been one of the most successful components of the U.S. telecommunications sector, both domestically and internationally. For these reasons, SIA believes that the proposed bandplan set forth in the NPRM does not serve the public interest and should be revised by the Commission to balance the amount of useful spectrum proposed for terrestrial and satellite services.

SIA also notes that the Commission proposal would reduce the amount of spectrum with common, global allocations available for satellite systems and that the Commission proposes to proceed with piecemeal implementation of its proposal (NPRM, ¶¶ 16-17). Given the importance of global and regional spectrum allocations for satellite use, SIA submits that there should be no implementation of any part of the Commission proposal until after conclusion of the International Telecommunication Union 1997 World Radiocommunication Conference, so international implications of prospective Commission actions are understood.

Over the past 30 years the Commission has helped to create a dynamic U.S. satellite industry. This industry will offer a wealth of innovative new services to businesses and consumers, including: mobile personal communications, data, broadcast, direct-to-home entertainment, and broadband satellite services. The Commission should take every opportunity to promote processing solutions that will continue to encourage U.S. leadership and innovation in

the satellite industry. This will require a much different approach to the spectrum than the one set out in the NPRM.

Respectfully submitted,

The Satellite Industry Association

By:



Lon Levin, SIA Co-Chair



Gerald Musarra, SIA Co-Chair



Clayton Mowry, SIA Director

Satellite Industry Association
225 Reinekers Lane, Suite 600
Alexandria, VA 22314
Tel: 703/549-8697

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